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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,524	12/09/2003	Kenji Hasegawa	542-012.004	3724
4955 7590 02/20/2007 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			EXAMINER VARGOT, MATHIEU D	
			ART UNIT 1732	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS		MAIL DATE 02/20/2007	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/731,524

Applicant(s)

HASEGAWA ET AL.

Examiner

Mathieu D. Vargot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese document 10-138,405, either alone, or further in view of Japanese document Kokai 62-101,421.

Japanese —405 discloses winding polyvinyl alcohol film around a rubber core roller whose hardness is within the instant Shore A range. The reference teaches 70-90 degrees and the instant claims call for a roll film hardness of 60 to 95. Note that both Japanese —405 and the instant claims call for the hardness measurement to be made using JIS K 6301, and hence the instant conditions of relative humidity and temperature during the testing are submitted to be met in Japanese —405. Essentially, Japanese —405 fails to teach that the core roller is made of metal and that the film roll hardness is necessarily within the instant range. However, it should be noted that the film roll hardness is ultimately dependent on many factors, including tension applied to the film during rolling and thickness of the film after rolling—ie, how much film is put on the roller. It is very conceivable that the hardness of the film roll of Japanese —405 does not deviate from the roll hardness dependent on these factors. In other words, if the film thickness were not very great, the overall hardness of the film and core roller would be that of the roller itself, which is within the instant range. Certainly, the tension imparted to the film as it is wound will have an effect on the hardness of the roll of film after being

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wound. Lacking any recitation of these aspects in the claims, it is respectfully submitted that claim 1 is obvious over Japanese -405. Also, Japanese -421 has been additionally applied for reasons of record, namely to teach the instant hardness of a wound film roll of PET that has been tested under exactly the same instant conditions (ie, JIS K 6301) as the instant and that of Japanese -405. While it is noted that the films are different (ie, PVOH as compared to PET) it is submitted that the winding hardness would nevertheless be obvious from Japanese -421. Apparently, Japanese -421 employs winding the film to the instant hardness level to provide a film whose flatness is maintained even though the film is subsequently aged in a humid atmosphere. Metallic rollers are well known in the art and would have been obvious substitutions for the rubber roller of Japanese -405. The instant guide roll being a crown roll is well known in the art and would have been an obvious feature in the process of Japanese -405 to effectively wind the film.

2.Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese document 10-138,405 in view of Japanese document P3075431, either alone, or further in view of Japanese document Kokai 62-101,421.

Japanese -405 and -421 are applied for reasons of record as set forth in paragraph 1, supra, the references failing to teach the instant water content of the film. Japanese -431 teaches this and is applied for reasons of record as set forth in the previous action.

3.Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

In view of the new rejection, applicant's comments are moot in certain respects. As noted in the interview held February 12, 2007, the hardness of the film roll is dependent on factors such as thickness of the film on the roll and tension applied to the film as it is rolled up. These aspects are not in the claims and hence it is unclear that the instant claims would patentably define over Japanese -405, which teaches the instant Shore A hardness for the core roller. Again, the hardness for the ultimate film roll of Japanese -405 would have obviously been within that hardness range dependent on how much film is rolled up around the core.

Applicant believes that Japanese -421 would not be applicable against the claims since this reference discloses PET and the instant teaches PVOH. While there are admittedly differences between the films, it is respectfully submitted that one of ordinary skill in the art would understand from Japanese -421 that the instant film roll hardness is a known parameter in the art. While the instant film may be more hygroscopic, it has been dried to a certain water content and there is no indication that water absorbance is a problem during the winding. Also, lacking any evidence to the contrary, at this point applicant's comments concerning Japanese -421 appear to be merely conjecture. Indeed, given that the films are fairly thin and dependent on how much of the film is rolled onto the core, the final hardness of the film roll may very well depend more on tension applied than material actually wound—ie, PVOH versus PET may not actually be germane to the issue. As noted at the interview, additional language needs to be inserted into the claims concerning film thickness (or length wound on the core) and winding tensions to define over the prior art.


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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mathieu D. Vargot whose telephone number is 571 272-1211. The examiner can normally be reached on Mon-Fri from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on 571 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Vargot  
February 13, 2007

  
Mathieu D. Vargot  
Primary Examiner  
Art Unit 1732

2/13/07